

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

DENISE J. THOMPSON
9841 Twelve Sons Court
Jessup, MD 20794

Plaintiff

v.

ACTION RESOURCES, INC.
Hanceville, AL

SERVE ON: Charles Corpening
40 County Rd. 517
Hanceville, AL 35077

and

PHIL ANTHONY MANUEL
2308 E. Hillwood Drive
Mobile, AL 36605

Defendants

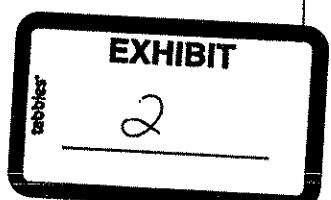
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COMPLAINT AND ELECTION FOR JURY TRIAL

Denise J. Thompson, Plaintiff, by ACE McBRIDE and SAIONTZ & KIRK, P.A. her attorneys, brings forth this Complaint to sue Action Resources, Inc. and Phil Anthony Manuel, Defendants, and for reason states:

1. That on or about the 22nd day of March, 2013 at approximately 8:33 p.m., the Plaintiff, DENISE J. THOMPSON, was stopped at a traffic light at the intersection of Interstate 95 and Washington Boulevard, in Baltimore City, Maryland.
2. That at the same date and time, a tractor trailer being owned by Defendant, ACTION RESOURCES, INC., and being operated by the Defendant, PHIL



ANTHONY MANUEL, was traveling in a northbound direction on Interstate 95 and took Exit 51 (Washington Boulevard), in Baltimore City, Maryland.

3. That at all times relevant hereto, the individual Defendant, PHIL ANTHONY MANUEL, was acting as the agent, servant and/or employee of the Defendant, ACTION RESOURCES, INC., and acting within the scope of his employment and/or agency and, with the permission, express and/or implied of the Defendant, ACTION RESOURCES, INC. Defendants, Action Resources, Inc. and Phil Anthony Manuel are collectively referred to as Defendants.

4. That at all times relevant, Defendants owed a continuing duty to operate the vehicle with ordinary care in a safe and reasonable manner.

5. That suddenly and without warning, the tractor trailer operated by the Defendant, PHIL ANTHONY MANUEL, was unable to stop and struck the vehicle driven by Plaintiff, DENISE J. THOMPSON, in the rear causing injury to her person and property.

6. That the said collision occurred at or near the intersection of Ramp 6 from Interstate 95 northbound and Washington Boulevard in Baltimore City, Maryland.

7. Venue is proper in Baltimore City, Maryland.

COUNT I
(Negligence)

For this cause of action Plaintiff, DENISE J. THOMPSON, sues Defendants, ACTION RESOURCES, INC. and PHIL ANTHONY MANUEL, for negligence and incorporates herein the allegations set forth in paragraphs 1 through 7 above as though fully set forth herein and further states that:

8. That the said collision was directly and proximately caused by and did result from the recklessness, carelessness and negligence of the Defendant, PHIL ANTHONY MANUEL, including, but not limited to the following respects:

- a) in failing to keep said motor vehicle under proper and sufficient control;
- b) in failing to keep a proper lookout;
- c) in failing to exercise ordinary care to avoid a collision;
- d) in failing to yield the right of way to another vehicle;
- e) in failing to obey a traffic control device;
- f) in traveling at an excessive rate of speed for the conditions then and there existing;
- g) in operating his automobile in a reckless and careless manner;
- h) in failing to use the highest degree of care consistent with its undertaking as a common carrier;
- i) in failing to stay in his lane;
- j) in negligently striking the Plaintiff's vehicle; and
- k) and in other respects not now known to the Plaintiff but which may become known prior to or at the time of trial.

9. That additionally, or in the alternative, the said collision was directly and proximately caused by and did result from the recklessness and carelessness and negligence of the Defendant, ACTION RESOURCES, INC., acting by and through its agent, servant and or employee, Defendant PHIL ANTHONY MANUEL, acting within

11. That at all times relevant hereto the Plaintiff exercised due care for her own safety.

12. That as a direct and proximate result of the collision, the said Plaintiff was thrown forcibly and violently around and about the interior of the said motor vehicle; and

a) was thereby caused to sustain serious and permanent injuries to his head, neck, back, body, and limbs;

b) was and will be caused to suffer great physical pain and mental anguish;

c) was and will be required to obtain the care and treatment of hospitals and physicians for her injuries at considerable expense;

d) was and will be unable to engage in her occupation for a period of time, thereby losing considerable income; and ,

e) was and will be unable to engage in those duties, activities and pursuits for which she was and is otherwise qualified.

13. That as a result of the collision, the Plaintiff's automobile was extensively damaged.

14. That as a result of the collision the said Plaintiff was, is and will be otherwise hurt, injured and damaged.

WHEREFORE, the Plaintiff, DENISE J. THOMPSON demands judgment against the Defendants, PHIL ANTHONY MANUEL and ACTION RESOURCES, INC., in the excess sum of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) plus interest and the cost of this action.



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ELECTION FOR JURY TRIAL

The Plaintiff elects to have the above-entitled matter tried before a Jury.



Ace McBride